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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/727,310	12/02/2003	Jonathan T. Foote	FXPL-01059US0	5171
23910 7590 04/16/2008 FLIESLER MEYER LLP 650 CALIFORNIA STREET 14TH FLOOR SAN FRANCISCO, CA 94108				
EXAMINER GOODCHILD, WILLIAM J				
ART UNIT 2145		PAPER NUMBER		
MAIL DATE 04/16/2008		DELIVERY MODE PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/727,310

Applicant(s)

FOOTE ET AL.

Examiner

WILLIAM J. GOODCHILD

Art Unit

2145

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-85/86)
- Paper No(s)/Mail Date 03/19/2004.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-41 are rejected under 35 U.S.C. 102(b) as being anticipated by Kohtake et al., ("InfoStick: An interaction device for Inter-Appliance Computing"), (hereinafter Kohtake).

Regarding claims 1, 11, 22 and 31, Kohtake discloses transmitting a select signal to a first control device associated with a source device using an remote control [Section 2 InfoStick Device, paragraph 2 "get button"];

transmitting a pasted signal to a second control device associated with a sink device using the remote control [Section 2 InfoStick Device, paragraph 2 "put button"];

in response to the transmitting of the select and paste signals, transferring media data from the source device to the sink device [Section 2 InfoStick Device, paragraph 2 and paragraph 5];

Regarding claims 2 and 24, Kohtake further discloses displaying the media data at the sink device [Section 2 InfoStick Device, paragraph 4, lines 5-8].

Regarding claims 3, 15, 26 and 37, Kohtake further discloses the selected and paste signals are transmitted wirelessly to the first and second control devices [Section 2 InfoStick Device, paragraph 2, lines 6-7].

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Regarding claim 4, Kohtake further discloses the select and paste signals are transmitted as electromagnetic signals to the first and second control devices [Section 2 InfoStick Device, paragraph 2, lines 6-7].

Regarding claims 5 and 17, Kohtake further discloses the sink device is a virtual sink located in a separate location from the second control device [Section 2 InfoStick Device, paragraph 5 and Section 3.1 Transferring Information between Computers, paragraph 2].

Regarding claims 6 and 18, Kohtake further discloses the sink devices is a virtual sink located in a separate location from the second control device [Section 2 InfoStick Device, paragraph 5 and Section 3.1 Transferring Information between Computers, paragraph 2].

Regarding claims 7, 19, 28 and 39, Kohtake further discloses the sink device is a media bus which acts as a media connection to another location [Section 3.5 Getting information from one object and Putting it into many objects, paragraph 1].

Regarding claims 8 and 29, Kohtake further discloses the media data is converted to a format desirable for the sink device [Section 3.4 Putting information onto paper, paragraph 1].

Regarding claims 9 and 20, Kohtake further discloses a sink device is associated with more than one control devices, wherein one of the control devices is associated with multiple sink devices [Section 3.5 Getting information from one object and Putting it into many objects, paragraph 1].

Regarding claims 10, 21 and 30, Kohtake further discloses feedback is provided to a user when a selector paste signal is transmitted [Section 2 InfoStick Device, paragraph 2].

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Regarding claims 12, 33 and 40, Kohtake further discloses the logic includes a switching matrix [Section 4.2 Software Architecture, paragraph 1].

Regarding claims 13 and 34, Kohtake further discloses the logic includes a central controller [Figure 10 – controller].

Regarding claims 14 and 35, Kohtake further discloses the logic includes a format converter to convert the format of the media data [Section 3.5 Getting information from one object and Putting it into many objects, paragraph 1].

Regarding claim 16, Kohtake further discloses the remote control is an infrared remote control [Section 6 Conclusion and Future Work, paragraph 2].

Regarding claims 23 and 32, Kohtake further discloses the selecting of the media data includes pushing a select button and wherein the pasting includes pushing a paste button[Section 2 InfoStick Device, paragraph 2 "get / put button"].

Regarding claims 25 and 36, Kohtake further discloses the handheld controller is a six-degrees-of-freedom controller [Section 4.1 Hardware Architecture, paragraph 1].

Regarding claims 27 and 38, Kohtake further discloses the source and sink devices are associated with predetermined control windows that help define whether the handheld controller is pointed at the source or sink device [Section 4.2 Software Architecture, paragraph 1].

Regarding claim 41, Kohtake further discloses the network is the Internet [Section 2 InfoStick Device, paragraph 1].

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Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM J. GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 9:00 AM - 5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on (571) 272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG
03/20/2008

/Jason D Cardone/
Supervisory Patent Examiner, Art Unit 2145